IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4396 OF 2005

Shri Vitthal Mahadeo Gosavi & Ors. ..Petitioners.

Versus

The Joint Charity Commissioner & Ors. ..Respondents.

Mrs. Seema Sarnaik with Ameya Tamhane for the Petitioners.

Mr. Yogesh S. Thakur for the Respondent No.3.

Mrs. V.Mhaispurkar, AGP for the State.

CORAM : S. A. BOBDE, J.

DATED : 05TH SEPTEMBER,2005.

P.C.:

1. Rule, returnable forthwith.

Mr.Thakur, learned Advocate waives service of rule for Respondent No.3. Mrs. Mhaispurkar, learned AGP waives service of rule for the State.

2. After having heard the matter for quite some

time, the following order is passed by consent.

ORDER

i. Order dated 16.12.2004 passed by the Joint Charity Commissioner, Kolhapur Region, Kolhapur shall be given effect to after a period of one week from today.

ii. Within one week from today, the Charity Commissioner of Maharashtra or some officer authorised by him, shall appoint a fit person to exercise powers in relation to the institutions at Mandangad, which was previously run by the Mandangad Trust, which was given a certificate of registration on 13.01.2003 (Exh.‘B’ to the petition).

iii. The Joint Charity Commissioner shall after remand decide all questions raised by both the parties.

iv. The Joint Charity Commissioner shall decide the matter as early as possible and in any case not later than three months from the date the parties appear before him. The parties are directed to appear

before the learned Joint Charity Commissioner on 12th September, 2005.

v. The parties are directed to appear before the Charity Commissioner, Mumbai for appointment of a fit person tomorrow i.e. on 6th September, 2005.

DT.05.09.05 (S.A.BOBDE,J)

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